

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

MARGRETTA JABBEH (02)

No. 4:23-CR-193-P

FACTUAL RESUME

- I. Plea: The defendant is pleading guilty to Count One of the Information, which charges conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349 (18 U.S.C. § 1343).
- II. Penalties: The penalties the Court can impose on Count One include:
 - a. imprisonment for a period not to exceed 20 years;
 - b. a fine not to exceed \$250,000, or twice any pecuniary gain to the defendant or loss to the victim(s);
 - c. a term of supervised release not to exceed three years, which may be mandatory under the law and will follow any term of imprisonment. If the defendant violates any condition of supervised release, the Court may revoke such release term and require that the defendant serve any or all of such term as an additional period of confinement;
 - d. a mandatory special assessment of \$100;
 - e. restitution to victims or to the community, which may be mandatory under the law, and which the defendant agrees may include restitution arising from all relevant conduct, not only the offense of conviction; and
 - f. costs of incarceration and supervision.

III. Elements of the Offense: The government must prove the following elements beyond a reasonable doubt to establish the offense alleged in Count One of the Information:

First: That the defendant and at least one other person made an agreement to commit the crime of wire fraud, in violation of 18 U.S.C. § 1343, as charged in the Information;

Second: That the defendant knew the unlawful purpose of the agreement; and

Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose.

The elements of wire fraud—the object of the offense—are as follows:

First: That the defendant knowingly devised or intended to devise any scheme or artifice to defraud, that is, to fraudulently obtain federal Supplemental Nutrition Assistance Program (SNAP) benefits by using stolen SNAP debit card account numbers at point of sale (POS) terminals in the three African stores owned and operated by the defendant and her coconspirators;

Second: That the scheme to defraud employed false material representations, false material pretenses, or false material promises;

Third: That the defendant transmitted or caused to be transmitted by way of wire or radio communications, in interstate commerce, any writing sign, signal, picture, or sound for the purpose of executing such scheme; and

Fourth: That the defendant acted with a specific intent to defraud.

IV. Stipulated Facts:

Between in or about January 26, 2022, and continuing until in or about May 18, 2023, Defendant **Margretta Jabbeh** knowingly and willfully combined, conspired, confederated and agreed with others known and unknown, by and through the entities Leelah African Store, Saybah's African Market, and Afro Mart, to engage in a scheme to

obtain Supplemental Nutrition Assistance Program (SNAP) benefits by using stolen SNAP debit card account numbers at point of sale (POS) terminals in the three African stores owned and operated by the defendant and her coconspirators in the Northern District of Texas. Together, the defendant and others fraudulently obtained approximately \$2.6 million in SNAP benefits using the stolen account numbers of over 3,000 SNAP beneficiaries located throughout the United States. With each swipe, the defendant and others falsely represented to USDA that actual SNAP beneficiaries/victims were using their SNAP benefits to purchase approved grocery items, and each swipe likewise caused an interstate wire communication between the Northern District of Texas and Wisconsin. In reality, the beneficiaries were not present in the stores at the time of the transactions and no groceries were purchased. USDA would periodically deposit lump sum payments into bank accounts belonging to the defendant and/or her coconspirators, which caused additional interstate wire transmissions into the Northern District of Texas.

SNAP, formerly and more commonly known as the Food Stamp Program, is a federal benefit program intended to assist low-income people and families purchase food. SNAP provides what is known as an electronic benefit transfer (EBT) card to the program's beneficiaries for a specified dollar amount each month. EBT cards, like debit and credit cards, are assigned a unique account number and PIN number, and are used by swiping the card through an authorized point-of-sale ("POS") device at stores to purchase eligible food items.

The EBT account information was stolen through a process known as “skimming,” meaning that someone illegally placed devices on POS terminals in stores throughout the United States to capture data and/or record the cardholders’ personal identification numbers (PINs). Afterwards, cards with magnetic strips could be programmed with the skimmed data. The newly programmed cards were then ready for use at an approved EBT POS terminal.

In furtherance of the conspiracy and scheme to defraud and to accomplish its object, the following overt acts, among others, were committed in the Fort Worth Division of the Northern District of Texas and elsewhere, by at least one coconspirator:

- In July 2022, **Jabbeh** opened Leelah African Market to join and perpetuate the SNAP fraud already taking place at Saybah’s African Market;
- Throughout the scheme and conspiracy, **Jabbeh** received and retrieved from coconspirators EBT cards programmed with stolen SNAP benefits and victim PII;
- **Jabbeh** swiped the fraudulent EBT cards at a point of sale (POS) terminal at Leelah African Store in order to obtain the stolen funds;
- **Jabbeh** swiped approximately \$1,080,000 of stolen SNAP benefits funds through the Leelah African Store POS terminal, for which USDA deposited payment into her Wells Fargo and/or JPMorgan Chase bank accounts;
- During the conspiracy and scheme, **Jabbeh** withdrew some of the fraudulently obtained funds as cash from her bank accounts and provided cash payments to other coconspirators;
- Funds not withdrawn as cash were transferred to **Jabbeh**’s other bank accounts, her friends and family members, used for personal purchases, or used to pay off debts;
- In January 2023, **Jabbeh** opened a bank account at JPMorgan Chase for the purposes of receiving and obfuscating the fraudulently obtained victim funds;

Forfeiture

On May 17, 2023, the FBI executed a seizure warrant at JPMorgan Chase Bank and seized \$15,567.75 from account ending in 3035 (in the name of **Margretta Jabbeh**). On May 23, 2023, the FBI executed a seizure warrant at JPMorgan Chase Bank and seized \$80,750.52 from account ending in 0615 (in the name of **Margretta Jabbeh**), and \$224,001.41 from account ending in 8980 (in the name of **Margretta Jabbeh**). Each of these seizures was made based on probable cause to believe that the funds in those accounts were traceable to the SNAP conspiracy and scheme to defraud in which **Jabbeh** was involved. **Jabbeh** agrees that the seized funds are traceable to her crime of conspiracy to commit wire fraud, as alleged in the felony Information.

AGREED AND STIPULATED on this 5 day of July, 2023.



MARGRETTA JABBEH
Defendant



SUZY VANEGAS
Counsel for Defendant